IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 994 OF 1985.

The Board of Trustees of the
Port of Bombay. ... Plaintiff.
Versus.
M/s.Evergreen Auto Industries. ... Defendant.

Ms.V.S.Bhalekar with Shri U.J.Makhija i/by M/s.Mulla & Mulla C.B.C. for the Plaintiff.

Shri Kevic Setalwad i/by M/s.T.Dayabhai & Co. for the Defendant.

CORAM : ABHAY S.OKA, J.

DATED : 24th August, 2007.

ORAL JUDGMNT:

1. Heard the learned Counsel appearing for the parties. The prayer in this suit is for a decree in the sum of Rs.54,000/- with further interest on Rs.49,830/- at the rate of 15% per annum from the date of the suit till payment or realisation.

2. The learned Counsel appearing for the Defendant on instructions of the Defendant stated that without admitting the allegations made in the plaint, the Defendant is ready and willing to pay the principal amount of Rs.54,000/- along with such further interest as this Court may fix. He states that the amount will be paid within a period of two weeks.

3. I have heard the learned Counsel for the Plaintiff. The Defendant has came forward to pay the

principal amount with reasonable rate of interest. Considering the facts and circumstances of the case further interest is fixed at the rate of 8% per annum from the date of institution of the suit till payment or realisation.

4. Hence the following order is passed:

(i) The Defendants are ordered and decreed to pay to the Plaintiffs a sum of Rs.54,000/- together with interest thereon at the rate of 8% per annum from the date of the suit till payment or realisation. Time of four weeks is granted to the Defendant to pay the amount.

(ii) There will be no order as to costs.

(iii) Certified copy is expedited.

Judge.